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STATE AND TERRITORIAL LAWS RELATIVE
TO FOUL BROOD.

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STATE AND TERRITORIAL LAWS RELATIVE TO FOUL BROOD.

CALIFORNIA.

CHAPTER XXIV.

AN ACT to promote the apicultural interests of the State of California by providing county inspectors of apiaries, and defining their duties, and providing for their compensation, and repealing the act entitled "An act to authorize the board of supervisors of the several counties of this State to appoint inspectors of apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture," approved March 13, 1883.

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. Whenever a petition is presented to the board of supervisors of any county, signed by ten or more persons, each of whom is a property holder resident of the county, and possessor of an apiary or place where bees are kept, stating that certain or all apiaries within the county are infected with the disease known as "foul brood," or any other disease which is infectious or contagious in its nature, and injurious to the bees, their eggs or larvæ, and praying that an inspector be appointed by them, whose duty it shall be to supervise the treatment of said bees and apiaries as herein provided, the board of supervisors shall, within twenty (20) days thereafter, appoint a suitable person, who shall be a skilled bee keeper, inspector of apiaries. Upon petition of ten persons, each of whom is a resident property holder and possessor of an apiary, the board of supervisors may remove said inspector for cause, after a hearing of the petition.

SEC. 2. It shall be the duty of the inspector in each county to cause an inspection to be made, when he deems it necessary, of any or every apiary, or other place within his jurisdiction in which bees are kept, and if found infected with foul brood, or any other infectious or contagious disease injurious to the bees, or their eggs, or larvæ, he shall notify the owner or owners, person or persons in charge, or in possession of said apiaries or places where bees are kept, that the same are infected with foul brood, or any other disease infectious or contagious in its nature, and injurious to bees, their eggs or larvæ, and he shall require such person or persons to eradicate and remove such disease or cause of contagion within a certain time to be specified. Said notice may be served upon the person or persons, or either of them, owning or having charge, or having possession of such infected apiaries, or places where bees are kept, by any inspector, or by any person deputized by the said inspector for that purpose, or they may be served in the same manner as a summons in a civil action. Any and all such apiaries, or places where bees are kept, found infected with foul brood, or any other infectious or contagious disease are hereby adjudged and declared to be a public nuisance; and whenever any such nuisance shall exist at any place within his jurisdiction, or on the property of any nonresident, or on any property the owner or owners of which cannot be found by the inspector, after diligent search, within the county, or upon the property of any

owner or owners upon whom notice aforesaid has been served, and who shall refuse or neglect to abate the same within the time specified, it shall be the duty of the inspector to abate the same, either by treating the disease or by destroying the infected hives, together with their combs and bees therein. The expense thereof shall be a county charge, and the board of supervisors shall allow and pay same out of the general fund of the county.

SEC. 3. It shall be the duty of the county inspector of apiaries to keep a record of his official acts and doings, and make a monthly report thereof to the board of supervisors; and the board of supervisors may withhold warrants for salary of said inspector until such time as said report is made.

SEC. 4. The salary of the county inspector of apiaries shall be three dollars per day when actually engaged in the performance of his duties.

SEC. 5. An act entitled "An act to authorize the board of supervisors of the several counties of this State to appoint inspectors of apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture," approved March thirteenth, eighteen hundred and eighty-three, is hereby repealed.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved February 20, 1901.

CHAPTER VI.

AN ACT to amend section four of an act entitled "An act to promote the apicultural interests of the State of California by providing county inspectors of apiaries, and defining their duties, and providing for their compensation, and repealing the act entitled 'An act to authorize the board of supervisors of the several counties of this State to appoint inspectors of apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture,' approved March 13, 1883," said first-named act having been approved February 20, 1901, and adding five new sections to said act, to be numbered and designated as sections seven, eight, nine, ten, and eleven, and providing for making the violation of certain sections thereof a misdemeanor.

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. Section four of an act entitled "An act to promote the apicultural interests of the State of California by providing county inspectors of apiaries, and defining their duties, and providing for their compensation, and repealing the act entitled 'An act to authorize the board of supervisors of the several counties of this State to appoint inspectors of apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture,' approved March thirteenth, eighteen hundred and eighty-three," approved February twentieth, nineteen hundred and one, is hereby amended so as to read as follows:

SEC. 4. The salary of the county inspector of apiaries shall be four dollars per day when actually engaged in the performance of his duties, and itemized necessary traveling expenses incurred in the performance of his duties as prescribed in this act.

SEC. 2. There is hereby added to said act five new sections, to be numbered and designated as section seven, section eight, section nine, section ten, and section eleven, and to read as follows:

"SEC. 7. The inspector of apiaries may, in his discretion, order the owner or owners or other person in charge of bees kept in box or other immovable or stationary comb hives in apiaries infected with foul brood or any other infectious or contagious disease or within a radius of three miles of such diseased

apiaries to transfer such bees to movable-frame hives within a reasonable time, to be specified in such order or notice, and in default of such transfer by the owner or owners or other person in charge of such bees, the inspector may destroy, or cause to be destroyed, all such hives, together with their contents, and the expense thereof shall be a county charge, as provided in section two of this act.

"SEC. 8. Any person or persons who shall import bees into the State of California, which said bees are not accompanied with a certificate from a duly authorized inspector of apiaries or bee inspector, certifying that such bees are free from foul brood and other infectious or contagious diseases, or who shall import bees from another county within this State not having a bee inspector into a county having a bee inspector, shall immediately upon the receipt of such bees cause them to be inspected by a duly authorized inspector of apiaries, and if such bees are found to be infected with foul brood or other infectious or contagious disease such inspector shall proceed to have such disease eradicated as provided in section two of this act. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor.

"SEC. 9. It shall be unlawful for any person owning or controlling bees within this State which are known to be infected with foul brood or other infectious or contagious disease to remove said bees to a new location without first giving ten days' notice to the county inspector of apiaries, stating when and where he intends moving said bees. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor.

"SEC. 10. Any person or persons whose apiary is infected with foul brood or any other infectious or contagious disease, and who sells, or offers for sale, from such infected apiary and bees, hives, bee fixtures, or appurtenances, or who shall expose in his bee yard or elsewhere any infected comb honey, beeswax, or other infected thing, or who conceals the fact that his apiary is so infected shall be deemed guilty of a misdemeanor.

"SEC. 11. Any person or persons who shall resist, impede, or hinder in any way the inspector of apiaries in the discharge of his duties under the provisions of this act shall be deemed guilty of a misdemeanor."

SEC. 3. This act shall take effect immediately.

Approved February 10, 1903.

COLORADO.

SECTION 1. Upon the written application, under oath, of the president or secretary of the Colorado State Bee Keepers' Association, or of any five actual bee keepers residing in any county in this State, alleging upon information and belief that the disease known as foul brood, or any other contagious or infectious disease, exists among the bees in said county, or that infected articles are kept in said county, and that there is danger that such disease will spread to other apiaries, being made to the county court of said county, or to the judge thereof at chambers, the said court or judge shall, by order to be entered in the records of said court, appoint some competent, actual bee keeper residing in said county to be county inspector of bees; and the applicants shall state in this application the names of the actual bee keepers of the county, so far as known to them.

SEC. 2. The person so appointed shall, within five days after his appointment, file with the clerk of such court his written acceptance of the office, and the usual oath of office; or in default thereof, the judge or court shall, in the same manner, make new appointments until the said office is filled. The inspector

shall hold his office during the pleasure of the court, and until his successor is appointed and qualified.

SEC. 3. Every bee keeper or other person who shall be aware of the existence of foul brood, either in his own apiary or elsewhere, shall immediately notify the county inspector of bees, if there be one, and if not, the secretary of the Colorado State Bee Keepers' Association, of the existence of such disease, and in default of so doing shall, on summary conviction before a justice of the peace, be liable to a fine of five dollars and costs.

SEC. 4. On receiving notice from any source of the existence, in any apiary in his county, of the disease known as foul brood, or any other infectious or contagious disease of bees, the county inspector of bees shall forthwith inspect each colony of bees and all hives, implements and apparatus, honey and supplies on hand or used in connection with such apiary, or otherwise distinctly designate each colony and apiary which he believes infected, and notify the owner or person in charge of said bees thereof, in writing or otherwise, and the owners of said bees, or person in charge thereof, shall, within five days thereafter, practically and in good faith apply and thereafter fully and effectually carry out to and upon such diseased colonies such treatment as may have been prescribed by the Colorado State Bee Keepers' Association for such cases; also thoroughly disinfect, to the satisfaction of such inspector, all hives, bee houses, combs, honey, and apparatus that have been used in connection with any such diseased colonies; or, at his election, the said owner or person in charge of such bees may, within the same time, utterly and completely destroy said bees, hives, house, comb houses, honey, and apparatus by fire, or bury the same in the ground with a covering of not less than two feet of earth.

SEC. 5. After inspecting infected hives or fixtures, or handling diseased bees, the inspector shall, before leaving the premises or proceeding to any other apiary, thoroughly disinfect his own person and clothing, and shall see that any assistant or assistants with him have also thoroughly disinfected their person and clothing.

SEC. 6. The inspector shall have full power, in his discretion, to order any owner or possessor of bees dwelling in box hives in apiaries where the disease exists (being mere boxes without frames) to transfer such bees to movable frame hives within a specified time, and in default of such transfer the inspector may destroy, or order the destruction of, such box hives and the bees dwelling therein.

SEC. 7. Should the owner or possessor of diseased colonies of bees, or any portion of said colonies, be they queens or workers, or of any affected appliances of bee keeping, knowingly sell or barter, or give away, or move or allow to be moved, such diseased colonies, or portion of colonies, or infected appliances, he shall, on conviction before any justice of the peace, be liable to a fine of not less than \$50 nor more than \$100, or to imprisonment in the county jail for any term not exceeding two months.

SEC. 8. Should any person whose bees have been destroyed or treated for foul brood sell, or offer for sale, any bees, hives, or appurtenances of any kind, after such destruction or treatment, and before being authorized by the inspector to do so, or should he expose, in his bee yard or elsewhere, any infected comb honey, or other infected thing, or conceal the fact that said disease exists among his bees, he shall, on conviction before a justice of the peace, be liable to a fine of not less than \$20 nor more than \$50, or to imprisonment in the county jail for a term not exceeding two months and not less than one month.

SEC. 9. When an owner or possessor of bees shall disobey the directions of the said inspector, a justice of the peace may, upon the complaint of the said

inspector, cause a sufficient number of special constables to be sworn in, and such special constables shall proceed to the premises of such owner or possessor and assist the inspector to seize all diseased colonies and affected appurtenances and burn them forthwith, and, if necessary, the said constables may arrest the said owner or possessor and bring him before a justice of the peace, to be dealt with according to the provisions of the preceding sections of this act.

SEC. 10. Before proceeding against any person before any justice of the peace, the said inspector shall read over to such person the provisions of this act, or shall cause a copy thereof to be delivered to such person.

SEC. 11. The said inspector shall include in his annual report to the president of the Colorado State Bee Keepers' Association, a statement of his work during the preceding year, which statement shall include: First, the number of colonies inspected; second, the number of colonies diseased; third, the number of colonies destroyed by fire or otherwise; fourth, the names of the owners and the localities where found; fifth, the amount paid him for his services and expenses for the preceding year.

SEC. 12. The county inspector of bees of each county shall receive a per diem allowance of four dollars for each full day, and two dollars for each half day, necessarily and actually employed in the discharge of his duties under this act, together with his necessary and actual expenses while so employed, to be audited, allowed, and paid by the county officers in the same manner as other claims against the county.

SEC. 13. All acts and parts of acts in conflict with this act are hereby repealed.

SEC. 14. In the opinion of the general assembly an emergency exists, and this act shall take effect from and after its passage.

Approved April 6, 1891.

IDAHO.

AN ACT to suppress infectious and contagious diseases of bees, to provide for an inspector of bees, defining his powers and duties, and to define certain misdemeanors, and providing punishment therefor.

Be it enacted by the legislature of the State of Idaho:

SECTION 1. The State horticultural inspector shall be ex officio State bee inspector, whose duties it shall be, either by himself or duly qualified and competent deputies, to examine bees of the State and to treat, condemn, and utterly destroy by fire or by burying at least two feet under ground all bees, honey, and fixtures found to be affected with foul brood or other infectious or contagious disease.

SEC. 2. Upon the application of the president and secretary of any bee association or upon petition of three bee keepers of any horticultural inspection district in the State, the State bee inspector may appoint deputy bee inspectors for the district from which such application or petition comes; and such deputy shall have the same powers and duties within his district as the State bee inspector, and the tenure of his office shall be concurrent with that of the State bee inspector, unless sooner dismissed.

SEC. 3. It shall be the duty of the State bee inspector or his deputy upon receiving information from any source of the existence, in any apiary in his district, of the disease known as foul brood, or any other infectious or contagious disease of bees, to forthwith inspect each colony of bees and all hives, implements and apparatus, honey, and supplies on hand or used in connection with

such apiary, or otherwise distinctly designate each colony and apiary which he believes infected, and notify the owner or person in charge of said bees thereof, in writing or otherwise, and the owners of said bees, or the person in charge thereof, shall, within five days thereafter, practically and in good faith, apply and thereafter fully and effectually carry out to and upon such diseased colonies such treatment as may have been prescribed by the inspector of bees for such cases; also thoroughly disinfect, to the satisfaction of such inspector, all bee hives, combs, honey, and apparatus that have been used in connection with any such diseased colonies; or, at his election, the said owner or person in charge of such bees may, within the same time, utterly and completely destroy such bees, hives, house, comb houses, honey, and apparatus by fire, or bury the same in the ground, with a covering of not less than two feet of earth.

SEC. 4. Every bee keeper or other person who shall be aware of the existence of foul brood, either in his own apiary or elsewhere, shall immediately notify the inspector of bees of the existence of such disease, and in default of so doing shall be guilty of a misdemeanor and punishable by a fine of not more than five dollars and costs.

SEC. 5. The inspector of bees shall have the right to enter the premises of any bee keeper where bees are kept and inspect such bees; and any person resisting or refusing to allow such inspection by said bee inspector shall be guilty of a misdemeanor, and may be then and there arrested by the said bee inspector or person deputized by him, and brought before a justice of the peace, and upon conviction shall be fined not less than ten dollars nor more than twenty-five dollars.

SEC. 6. If any owner or keeper of bees knows of, or after being notified by the bee inspector that foul brood or other infectious or contagious disease exists in any of the hives in the apiary owned by or in charge of said person and shall fail to comply within ten days from receiving said knowledge, and the date of receiving instructions from the bee inspector to cure or destroy the bees or hives or their appliances, such person shall be guilty of a misdemeanor, and upon conviction thereof such person shall be fined not less than ten dollars nor more than twenty-five dollars.

SEC. 7. When the owner or possessor of bees shall disobey the directions of said inspector in curing or destroying any diseased bees, honey, hives, or appliances, they shall become unlawful and a public nuisance, and the said bee inspector shall at once destroy said bees, honey, hives, or appliances and may deputize such additional persons as he may find necessary to effect such destruction.

SEC. 8. Should any person whose bees have been destroyed or treated for foul brood sell or offer for sale any bees, hives, or appurtenances of any kind after such destruction or treatment or before being authorized by the inspector to do so, or should he expose, in his bee yard or elsewhere, infected comb, honey, or other infected thing, or conceal the fact that said disease exists among his bees, he shall be guilty of a misdemeanor and punishable by a fine of not less than ten dollars nor more than fifty dollars.

SEC. 9. Any person, persons, company, or corporation who shall bring into the State of Idaho any apiary, colony, or colonies of bees shall immediately notify the State or deputy inspector of bees of such fact, stating where any such colony or colonies are being kept, and it shall be the duty of the State or deputy inspector to proceed to examine such colony or colonies and ascertain whether or not they are free from foul brood or other infectious or contagious disease. Any person, persons, company, or corporation who shall fail to notify the State or deputy bee inspector, as required by this section, for a period of

ten days after the arrival within the State of Idaho of such colony or colonies of bees shall be guilty of a misdemeanor and punishable by a fine of not less than fifty dollars nor more than one hundred dollars.

SEC. 10. The inspector shall have full power, in his discretion, to order any owner or possessor of bees dwelling in box hives in apiaries where the disease exists (being mere boxes without movable frames) to transfer such bees to movable frame hives within a specified time, and in default of such transfer the inspector may destroy or order the destruction of such box hives and the bees dwelling therein.

SEC. 11. After inspecting infected hives or fixtures or handling diseased bees the inspector shall, before leaving the premises or proceeding to any other apiary, thoroughly disinfect his own person and clothing, and shall see that any assistant or assistants with him have also thoroughly disinfected their persons and clothing.

SEC. 12. The State bee inspector shall make an annual report to the governor of Idaho, giving the number of apiaries visited, the number of diseased apiaries found, the number of colonies treated, also the number of colonies destroyed and statistics bearing on the bee industries.

SEC. 13. All acts and parts of acts in conflict with this act are hereby repealed.

SEC. 14. Whereas an emergency existing therefor, this act shall take effect and be in force from and after its passage and approval.

MICHIGAN.

ACT 66, 1901, PAGE 97.

The people of the State of Michigan enact:

SECTION 1. The dairy and food commissioner, upon receipt of a certified copy of the record of the Michigan State Bee-Keepers Association by the secretary of said association, showing that a majority of the members of said association recommended the appointment of an inspector of apiaries, shall appoint a State inspector of apiaries. Said inspector shall be responsible to the dairy and food commissioner, and shall comply with such rules and regulations as the dairy and food commissioner shall from time to time prescribe for the carrying out of the work of said State inspector.

SEC. 2. The dairy and food commissioner shall, when notified in writing by the owner of an apiary or by three disinterested taxpayers in the vicinity of the apiary, cause the inspector to examine such apiaries as are reported and all others in the same locality not reported, and ascertain whether or not the disease known as foul brood or other contagious disease exists in such apiaries, and if satisfied of the existence of foul brood he shall give the owner or caretaker of the diseased apiaries full instructions how to treat said case as in the inspector's judgment seems best.

SEC. 3. The inspector, who shall be the sole judge, may visit all diseased apiaries a second time and, if need be, burn all colonies of bees and combs that may be found not cured of foul brood or other contagious diseases.

SEC. 4. If the owner of a diseased apiary, honey, or appliances shall knowingly or wilfully sell, barter, or give away any bees, honey, or appliances, or expose other bees to the danger of said disease, or refuse to allow said inspector to inspect such apiary, honey, or appliances, said owner shall on conviction before a justice of the peace be liable to a fine of not less than fifty dollars

nor more than one hundred dollars, or not less than one month's imprisonment in the county jail nor more than two months' imprisonment.

SEC. 5. In addition to such individual reports as are required under this act by the inspector of apiaries, he shall make an annual report to the dairy and food commissioner, giving the number of apiaries visited, the number of diseased apiaries found, the number of colonies treated, also the number of colonies destroyed by fire, and an itemized account of his transportation expenses, with affidavit annexed thereto.

SEC. 6. There is hereby appropriated, out of any moneys in the State treasury not otherwise appropriated, a sum not exceeding five hundred dollars per year for the suppression of foul brood among bees in Michigan. The inspector shall receive three dollars per day and actual transportation expenses for actual time served, which sum shall not exceed the money hereby appropriated, to be paid by the State treasurer upon warrants drawn by the auditor-general and approved by the dairy and food commissioner.

SEC. 7. Act number one hundred forty-one of the public acts of eighteen hundred eighty-one, being sections fifty-six hundred sixty-three, fifty-six hundred sixty-four, fifty-six hundred sixty-five, fifty-six hundred sixty-six, fifty-six hundred sixty-seven, fifty-six hundred sixty-eight, fifty-six hundred sixty-nine, and fifty-six hundred seventy of the compiled laws of eighteen hundred ninety-seven, is hereby repealed.

This act is ordered to take immediate effect.

NEBRASKA.

CHAPTER 82.—BEES.

SECTION 1. It shall be unlawful for any person to keep or have in possession in this State any honeybees, brood comb, or honey known to possess or be infected with the disease known as "foul brood," or with any other infectious or contagious disease peculiar to bees and honey, contrary to the provisions of this act, or to keep or to have in possession any beehive or other receptacle in which foul brood, diseased bees, or infected honey is known to have been kept. Every person violating any provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than ten dollars nor more than one hundred for each offense, or be confined in the county jail not more than thirty days.

SEC. 2. Any honeybees, brood comb, or honey owned or kept or found in this State known to be affected with foul brood or other infectious or contagious disease, and any beehive or receptacle in which any bees, brood comb, or honey shall have been kept, known to have been infected with any infectious or contagious disease, shall be destroyed immediately and completely by burning, by the owner thereof or the person or persons in whose possession the same may be.

SEC. 3. Every person owning or having in his or her possession, or under his or her control, any honeybees, brood comb, honey, beehive, or receptacle or apparatus known to be infected with any infectious or contagious disease peculiar to honeybees or honey, or in which any diseased bees or infected honey shall have been kept, who shall not immediately cause the same to be destroyed as provided in section 2 of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than ten dollars nor more than one hundred dollars for each offense, or be imprisoned in the county jail not more than thirty days for each offense.

SEC. 4. Every person owning or keeping honeybees in this State shall cause all bees owned or kept by him or her to be inspected at his or her own expense as hereinafter provided. Every person neglecting or refusing to cause all such bees to be duly inspected as hereinafter provided shall be deemed guilty of a misdemeanor, and shall pay a fine of not less than ten dollars nor more than one hundred dollars for each offense upon conviction thereof: *Provided*, That if upon inspection of any colony or colonies of bees the disease of foul brood or other infection or contagion shall be found to exist, and such inspector shall be of the opinion that by proper treatment such disease or contagion or infection may be removed, he shall so certify officially in his certificate of inspection, and the owner or owners of such bees shall be entitled to keep such bees for the period of six months for treatment, and at the expiration of said time, if such disease, infection, or contagion shall not be eradicated, such bees shall be destroyed, as hereinbefore provided, and any person or persons having in possession any brood, comb, beehives, honey, or apparatus used in connection with bee culture, found in like manner to be infected with foul brood or infectious or contagious disease, such person shall be allowed the period of thirty days to disinfect the same, but no longer, and if at the end of said period of thirty days said disinfection shall not have been complete, such brood, comb, beehive, honey, or apparatus shall be destroyed as hereinbefore provided.

SEC. 5. Every person engaged in beekeeping in this State, either as owner, agent, or lessee, in infected districts, shall cause to be inspected at least once in each year each and every brood or colony of bees, brood comb, and honey in his or her possession or under his or her control, and procure a certificate of such inspection showing the true condition of each and every one of the above-named articles in his or her possession as to the existence of foul brood or other infectious or contagious disease, in duplicate, one of which duplicates shall be left with such person and the other shall be filed in the office of the county clerk of the county where such bees or honey or brood comb is kept.

SEC. 6. Upon the application of the Nebraska State Beekeepers' Association, or other person or persons interested in bee culture residing in any county in this State, the governor may appoint a suitable person, resident of said county, inspector of bees and honey for said county, who shall be sworn to perform the duties of such office faithfully and impartially, whose duty it shall be to inspect all bees, brood combs, honey within his said county when called upon for said purpose, and shall be entitled to receive the sum of two dollars for each day or part of a day necessarily employed in making such inspection, to be paid by the owner or agent or lessee in whose possession such bees, brood comb, or honey may be when inspected. Such inspectors shall make certificates in duplicate, and shall give one to the owners or persons in charge of such bees, or brood combs, or honey, and file the other in the office of the county clerk as aforesaid.

Took effect June 6th, 1885.

NEW MEXICO.

CHAPTER 43.

AN ACT relating to foul brood and other contagious diseases among bees.

Be it enacted by the legislative assembly of the Territory of New Mexico:

SECTION 1. That hereafter all bee keepers, owners, and possessors of bees, apiaries, bee hives, and apparatus pertaining to bees, bee keepers, apiaries, and bee hives shall keep the same properly protected and disinfected and free from

all foul brood or other contagious diseases, and shall be required to keep all bees, bee hives, bee houses, apiaries, combs, honey, and apparatus free from all foul brood or other contagious diseases.

SEC. 2. That any person or persons who have in their possession or under their control any bees, bee hives, bee houses, combs, or apparatus pertaining to bees or apiaries and who shall allow the same to become infected or diseased with any foul brood or contagious diseases, and who shall wilfully and knowingly permit them to remain in such condition, shall be deemed guilty of misdemeanor and upon trial and conviction before any justice of the peace may be fined in any sum not less than ten dollars or more than fifty dollars, or by imprisonment in the county jail not more than 30 days, or by both such fine and imprisonment.

SEC. 3. That any person competent to testify as a witness may, upon information and belief, make complaint before any justice of the peace in any county in this Territory in which such foul brood or contagious diseases among bees is found to exist, and upon such written complaint being made in writing and duly sworn to as required by law the justice before whom such complaint is made shall issue a warrant for the arrest of the offender and shall fully inquire, examine into, and try said cause as now provided for the trial of misdemeanors before a justice of the peace.

SEC. 4. That upon the trial of said cause, that any bees, bee hives, combs, honey, or apparatus connected with said apiary or bee keeper that be found by said justice of the peace before whom such trial is had to be diseased or infected with foul brood or any other contagious diseases shall by such justice of the peace be declared to be a nuisance and shall be condemned as such and an order or writ issued for the destruction of such nuisance, and upon the issuing of such order and such writ directed to any constable or sheriff of such county such constable or such sheriff to whom such order or writ is directed and delivered shall forthwith execute the same by burning, destroying, and putting out of existence all such bees, bee hives, bee houses, comb, honey, or apparatus so declared to be and condemned as a nuisance.

SEC. 5. Justices of the peace in their respective counties shall have jurisdiction in all causes arising under the provisions of this act, and their costs in cases under this act shall be taxed up and assessed as cases in other cases of misdemeanor before justice of the peace.

SEC. 6. All acts and parts of acts in conflict herewith are hereby repealed, and this act shall take effect and be in force from and after its passage.

Approved March 9, 1905.

NEW YORK.

AGRICULTURAL LAW OF THE STATE OF NEW YORK, AS AMENDED TO JULY, 1905.

ARTICLE VI.

§ 80. *The prevention of diseases among bees.* No person shall keep in his apiary any colony of bees affected with a contagious malady known as foul brood or black brood; and every bee keeper, when he becomes aware of the existence of either of such diseases among his bees, shall immediately notify the commissioner of agriculture of the existence of such disease. (*As amended by chapter 214 of the Laws of 1902.*)

§ 80 a. [Defining honey.]

§ 80 b. [Relative to selling a commodity in imitation or semblance of honey.]

§ 81. *Duties of the commissioner.* The commissioner of agriculture shall immediately upon receiving notice of the existence of foul brood or black brood among the bees in any locality send some competent person or persons to examine the apiary or apiaries reported to him as being affected and all the other apiaries in the immediate locality of the apiary or apiaries so reported; if foul brood or black brood is found to exist in them, the person or persons so sent by the commissioner of agriculture shall give the owners or caretakers of the diseased apiary or apiaries full instructions how to treat said cases. The commissioner of agriculture shall cause said apiary or apiaries to be visited from time to time as he may deem best, and if, after proper treatment, the said bees shall not be cured of the diseases known as foul brood or black brood then he may cause the same to be destroyed in such manner as may be necessary to prevent the spread of the said diseases. For the purpose of enforcing this act the commissioner of agriculture, his agents, employees, appointees, or counsel, shall have access, ingress, and egress to all places where bees or honey or appliances used in apiaries may be which it is believed are in any way affected with the said disease of foul brood or black brood or where it is believed any commodity is offered or exposed for sale in violation of the provisions of this act. No owner or caretaker of a diseased apiary, honey, or appliances shall sell, barter, or give away any bees, honey, or appliances from said diseased apiary which shall expose other bees to the danger of said diseases, nor refuse to allow the said commissioner of agriculture, or the person or persons appointed by him, to inspect said apiary, honey, or appliances and do such things as the said commissioner of agriculture or the person or persons appointed by him shall deem necessary for the eradication of said diseases. Any person who disregards or violates any of the provisions of this section is guilty of a misdemeanor and shall be punished by a fine of not less than thirty dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than one month nor more than two months, or by both fine and imprisonment. (*As amended by chapter 214 of the Laws of 1902.*)

OHIO.

AN ACT to provide for county inspectors of apiaries and defining their duties, and providing for their compensation, for the purpose of curing and avoiding foul brood or other diseases among bees and their hives.

Be it enacted by the general assembly of the State of Ohio:

SECTION 1. That whenever a petition is presented to the board of county commissioners of any county in the State of Ohio, signed by three or more persons, all of whom are residents of said county, and possessors of an apiary or place where bees are kept, stating that certain apiaries within said county are infected with the disease known as foul brood, or any other disease which is injurious to bees or their larvæ, praying that an inspector be appointed by said board of county commissioners, said board of county commissioners shall within five days after the presentation of said petition appoint a person as bee inspector who is resident of said county who shall be a skilled bee keeper, having thorough knowledge of foul brood and other diseases injurious to bees and their larvæ and the treatment of same.

SEC. 2. The person so appointed shall, within five days after his appointment, file with the said board his written acceptance of the office, or, in default thereof,

or in case of vacancy, the board shall in the same manner make new appointments until the said office is filled. The inspector shall hold his office for two years and until his successor is appointed and qualified, except when upon petition of ten persons (each of whom is a resident of said county and possessor of an apiary), to the board of county commissioners of said county, may remove said inspector for cause, after a hearing of petitioners.

SEC. 3. Any bee keeper or other person who shall have cause to believe that an apiary in his county is affected with foul brood or other disease, either in his own apiary or elsewhere, shall make affidavit stating that on information or belief, he believes that certain apiaries, describing the location, naming the owner or keeper, is affected with foul brood or other disease, and his ground for such belief. On receiving said affidavit from any source of the existence in any apiary in his county, of the disease known as foul brood, or any other infectious or contagious disease of bees, the county inspector of bees shall forthwith inspect each colony of bees and all hives, implements and apparatus, honey and supplies on hand or used in connection with such apiary, and distinctly designate each colony or apiary which is infected, and notify the owner or person in charge of said bees thereof, in writing, and the owners of said bees, or the persons in charge thereof to practically and in good faith apply, and thereafter fully and effectually carry out to and upon such diseased colonies, such treatment as may have been prescribed by the said inspector for such cases; also thoroughly disinfect, to the satisfaction of the inspector, all hives, beehouses, combs, honey, and apparatus that have been used in connection with any such diseased colonies; or, at his election, the said owner or person in charge of such bees may within the same time utterly and completely destroy said bees, hives, houses, comb houses, honey, and apparatus by first killing the bees (by the use of sulphur fumes, when the bees are in the hives for the night), by fire, or bury the same in the ground with a covering of not less than two feet of earth.

SEC. 4. The inspector of bees shall have the right to enter the premises of any bee keeper, where the bees are kept, and inspect such bees, and any person resisting or refusing to allow said inspection by said bee inspector shall be guilty of a misdemeanor and may be then and there arrested by said bee inspector or person deputed by him and brought before a justice of the peace, and upon conviction shall be fined not less than ten dollars nor more than twenty-five dollars.

SEC. 5. After inspecting, working with, or handling infected hives or fixtures, or handling diseased bees, the inspector or other person shall, before leaving the premises, or proceeding to any other apiary, thoroughly disinfect his own person and clothing, and shall see that any assistant or assistants with him have also thoroughly disinfected their clothing and person.

SEC. 6. The inspector shall have full power in his discretion to order any owner or possessor of bees dwelling in box hives in apiaries where the disease exists (being mere boxes without frames) to transfer such bees to movable frame hives within a specified time, and in default of such transfer the same shall become unlawful and the inspector may destroy or order for destruction of such box hives and the bees dwelling therein as a public nuisance.

SEC. 7. Should any owner of, or keeper of, or other person having diseased bees or their larvæ, or of any affected hives of combs, appliances, or utensils for bee keeping, sell or barter or give away the same, or allow the same or any part thereof to be moved, such person shall be guilty of a misdemeanor, and upon conviction such person shall be fined not less than ten dollars nor more than twenty-five dollars.

SEC. 8. Should any person whose bees have been destroyed or treated for foul brood sell, or offer for sale, any bees, hives, or appurtenances of any kind after such destruction or treatment, and before being authorized by the inspector to do so, or should he expose, in his bee yard or elsewhere, any infected comb honey or other infected thing, or conceal the fact that such disease exists among his bees, such person shall be guilty of a misdemeanor, and upon conviction such person shall be fined not less than ten dollars nor more than twenty-five dollars.

SEC. 9. If any owner or keeper of bees knows of or after being notified by the bee inspector that foul brood or other infectious or contagious disease exists in any of the hives in the apiaries owned or in charge of said persons and shall fail to comply within ten days from receiving said knowledge and the date of receiving instructions from the county inspector to cure or destroy the bees or hives, or their appliances, such person shall be guilty of a misdemeanor, and upon conviction thereof such person shall be fined not less than ten dollars nor more than twenty-five dollars.

SEC. 10. When the owner or possessor of bees shall disobey the directions of said bee inspector in curing or destroying any diseased bees, honey, hives, or appliances shall become unlawful and a public nuisance, and the said bee inspector shall at once destroy said bees, honey, hives, or appliances, and may deputize such additional persons as he may find necessary to effect said destruction.

SEC. 11. The inspector shall make a monthly report in writing, under oath, to the board of county commissioners, in which report he shall state the days and number of hours in the preceding month spent by him in the actual discharge of his duties, and shall in said report state the name of the owner or keeper, and the location of the apiary upon which such time was spent in curing or destroying said bees, together with an itemized account, showing the dates and amounts for what incurred, money spent for any discharge of his duties, and to whom the same was paid, and for what services and considerations such indebtedness was incurred, and accompany said report with the affidavits given him under and in pursuance of section 3 of this act, and make full and complete report of all he did and results of his treatment of any apiary.

SEC. 12. After the inspector of bees in any county shall make report, as provided in the preceding section, said county commissioner shall allow to said inspector of bees two dollars for a full day, and one dollar for each half day, necessarily and actually employed in the discharge of his duties under this act, together with his necessary and actual expenses while so employed, to be audited, allowed, and paid by the county treasurer upon the warrant of the county auditor.

SEC. 12 a. There shall be levied annually on the owner of each colony of bees in each county in the State an annual tax of one (1) cent for each colony owned, which levy shall be placed on the tax duplicate of the county by the auditor of such county at the time of the levy of other taxes each year, and such levy shall be predicated upon the returns for taxation as made to such auditor by the assessors having jurisdiction in the premises for the return of personal property for taxation; such assessors shall be provided with blanks necessary to procure such returns from owners of colonies of bees, who shall on demand be required to list the same for taxation for the purposes of this act, as in other cases of listing and valuation of personality for taxation. The county treasurer shall collect the amount of said tax so assessed in the same manner and at the same time he collects other taxes, and the same shall be certified to him by the county auditor in the same manner as other taxes for collection. The amount so col-

lected shall constitute a special fund, to be disposed of in the payment of the salary and actual expenses of the inspector of bees appointed in pursuance of the provisions of the act of April 15, 1904, aforesaid.

Original act approved April 21st, 1904. Amended act approved March 17th, 1906.

TEXAS.

AN ACT to provide for the protection of honeybees against foul brood and other contagious diseases, and providing that all bee keepers report to the State entomologist when infectious diseases exist, providing for collecting the expense of eradicating the disease and fixing the charges upon the owner or agent of the bees, providing for the extermination of all contagious diseases, and providing penalties for the violation of any of the provisions of this act.

SECTION 1. *Be it enacted by the legislature of the State of Texas*, If any owner of or any person having control or possession of any honey bees in this State, knows that any bees so owned or controlled are affected with foul brood or any other contagious disease it shall be and is hereby made his duty to at once report said fact to the State entomologist, setting out in his said report all the facts known with reference to said infection. The State entomologist shall have full power in his discretion to order any owner or possessor of bees dwelling in hives without movable frames, or not permitting of ready examination, to transfer such bees to a movable frame hive within a specified time. In default of such transfer the State entomologist may destroy, or order destroyed, such hives, together with the honey, combs, frames, and bees contained therein, without recompense to the owner, lessee, or agent thereof.

SEC. 2. The State entomologist shall prescribe such rules and regulations as may in his judgment seem necessary for the eradication of all contagious diseases of bees, and if at any time the entomologist finds, or has reason to believe, that the owner or keeper of any bees, or the owner of any apiary, has refused or is refusing to comply with all or any such rules and regulations, then and in that event the State entomologist is hereby authorized to inspect said bees, and, if necessary, burn diseased colonies, appliances, and honey, and do any and all things necessary in the premises to eradicate foul brood or any other infectious disease of bees.

SEC. 3. When any owner or possessor of bees shall fail to carry out the instructions of the State entomologist as set forth in sections 1 and 2 of this act, the State entomologist or his assisant shall carry out such destruction or treatment, and shall present to the owner of said bees a bill for the actual cost of such destruction or treatment. In the failure of the owner or possessor of such bees to pay said bill within thirty days after the delivery of same to himself, tenant, or agent, or within thirty days after mailing same to his usual post-office address, the State entomologist shall certify to the county attorney of the county wherein such bees are located the amount and items of such bill, and the county attorney shall file suit for the recovery of said account. All moneys recovered by the county attorney for such destruction or treatment shall be paid into the hands of the county treasurer, to become a part of the fund for carrying out the provisions of this act.

SEC. 4. If any owner or keeper of any diseased colonies of bees shall barter or give away any infected bees, honey, or appliances, or shall expose any other bees to the danger of infection of the disease, or shall refuse or neglect to make report as provided in section 1 of this act, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding two hundred dollars.

SEC. 5. The fact that the season when young colonies of bees will have the mother colonies is near at hand, and that there is no existing law properly governing colonies affected with foul brood creates an emergency, and an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days, and the same is so suspended, and this act shall take effect and be in force from and after its passage; and it is so enacted.

Became a law April 21, 1903.

UTAH.

LAW OF UTAH FOR THE PROTECTION AND ENCOURAGEMENT OF THE BEE INDUSTRY.

SECTION 1. The board of county commissioners of the several counties shall, when petitioned by a majority of the bee keepers thereof, appoint one or more qualified persons inspectors of bees for their respective counties.

SEC. 2. Such inspectors shall hold their office for two years and until their successors are appointed and qualified. They shall qualify by taking and subscribing their official oath and by giving bonds to be approved by their respective boards of county commissioners, which oath and bonds shall be filed with the county clerk.

SEC. 3. Inspectors shall be paid out of the county treasury for services actually rendered at such rate per day as the board of county commissioners may fix. The assessor of each county is hereby required to assess each colony of bees in his county in the same manner as other assessments are made. All taxes shall be assessed and collected thereon in the manner provided by law for the collection and payment of county taxes.

SEC. 4. All hives of bees in each county shall be carefully inspected at least once each year by a county or district inspector, where such inspector has been appointed, and, at any time upon complaint that disease exists among bees of any person, the inspector to whom complaint is made shall immediately inspect the bees said to be infected. The inspector shall have authority to take charge and control of diseased bees and their hives, and the tools and implements used in connection therewith for treatment, or destroy such bees, broods, or hives and their contents, or implements, as may be infected: *Provided*, That any owner questions a decision of the inspector he may appeal to three arbitrators selected from among the bee keepers of the county, one of whom shall be chosen by the owner, the second by the inspector, and the third so chosen, whose decision, concurred in by at least two of their number, shall be conclusive as to the condition of the bees at the time of such examination.

SEC. 5. Any person who shall hinder or obstruct, or attempt to hinder or obstruct, a duly appointed inspector from the performance of any duty required by this title, shall, on conviction thereof before a justice of peace having jurisdiction, be deemed guilty of a misdemeanor, and shall be fined for the first offense not less than five nor more than twenty-five dollars, and for any additional offenses any sum not exceeding fifty dollars.

Approved March 11th, 1897. To take effect January 1, 1898.

WASHINGTON.

Be it enacted by the legislature of the State of Washington:

SECTION 1. Whenever a petition is presented to the board of county commissioners of any county signed by ten or more persons, each of whom is a property

holder resident of the county and possessor of an apiary or place where bees are kept, stating that certain or all apiaries within the county are infected with the disease known as "foul brood," or any other disease which is infectious or contagious in its nature and injurious to bees, their eggs, or larvæ, and praying that an inspector be appointed by them, whose duty it shall be to supervise the treatment of said bees and apiaries as herein provided, the board of county commissioners shall, within twenty days thereafter, appoint a suitable person, who shall be a skilled bee keeper, inspector of apiaries. The said board of county commissioners may remove said inspector at any time for cause.

SEC. 2. It shall be the duty of the inspector in each county to cause an inspection to be made when he deems it necessary of any or every apiary, or other place within his jurisdiction in which bees are kept, and if found infected with foul brood or any other infectious or contagious disease injurious to the bees or their eggs or larvæ he shall notify the owner or owners, person or persons in charge or in possession of said apiaries or places where bees are kept that the same are infected with foul brood or any other disease infectious or contagious in nature and injurious to bees, their eggs, or larvæ, and he shall require such person or persons to eradicate and remove such disease or cause of contagion within a certain time, to be specified. Said notice may be served upon the person or persons, or either of them, owning or having charge or having possession of such infected apiaries or places where bees are kept by any inspector or by any person deputed by the said inspector for that purpose, or they may be served in the same manner as a summons in a civil action. Any and all such apiaries or places where bees are kept found infected with foul brood or any other infectious or contagious disease are hereby adjudged and declared to be a public nuisance, and whenever any such nuisance shall exist at any place within his jurisdiction or on the property of any nonresident or on any property the owner or owners of which can not be found by the inspector, after diligent search, within the county, or upon the property of any owner or owners upon whom notice aforesaid has been served, and who shall refuse or neglect to abate the same within the time specified, it shall be the duty of the inspector to abate the same, either by treating the disease, or by destroying the infected hives, together with their combs and bees therein. The expense thereof shall be a county charge, and the board of county commissioners shall allow and pay the same out of the general fund of the county.

SEC. 3. It shall be the duty of the county inspector of apiaries to keep a record of his official acts and doings and make report thereof to the board of county commissioners when required by said board.

SEC. 4. The salary of the county inspector of apiaries shall be three dollars per day when actually engaged in the performance of his duties: *Provided*, That the expenditures under this act in any county shall not exceed the sum of one hundred dollars per annum.

SEC. 5. The inspector of apiaries may, in his discretion, order the owner or owners or other person in charge of bees kept in box or other immovable or stationary comb hives in apiaries infected with foul brood or other infectious or contagious disease or within a radius of three miles of such diseased apiaries to transfer such bees to movable frame hives within a reasonable time, to be specified in such order or notice, and in default of such transfer the owner or owners or other person in charge of such bees, the inspector may destroy or cause to be destroyed all such hives together with their contents, and the expense thereof shall be a county charge, as provided in section 2 of this act.

SEC. 6. It shall be unlawful for any person owning or controlling bees within this State which are known to be infected with foul brood or other infectious

or contagious disease to remove said bees to a new location without first giving ten days' notice to the county inspector of apiaries, stating when and where he intends moving said bees. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor.

SEC. 7. Any person or persons whose apiary is infected with foul brood or other infectious or contagious disease and who sells or offers for sale from such infected apiary any bees, hives, bee fixtures, or appurtenances, or who shall expose in his bee yard or elsewhere any infected comb honey, beeswax, or other infected thing, or who conceals the fact that his apiary is so infected shall be deemed guilty of a misdemeanor.

SEC. 8. Any person or persons who shall resist, impede, or hinder in any way the inspector of apiaries in the discharge of his duties under the provisions of this act shall be deemed guilty of a misdemeanor.

SEC. 9. An emergency exists, and this act shall take effect immediately.

WISCONSIN.

WISCONSIN STATUTES, 1903, VOLUME 1, CHAPTER 188.

SECTION 1494, f. *Inspection of apiaries*—*Inspection, appointment, duties, compensation.* The governor may appoint for a term of two years a State inspector of apiaries. Said inspector shall, when notified of existence of disease known as foul brood among apiaries, examine all such as are so reported and all others in the same locality and ascertain whether or not such disease exists, and, if satisfied of its existence, shall give the owner or person who has care of such apiaries full instructions as to the manner of treating them.

Within a reasonable time after making such examination the inspector shall make another examination thereof, and if the condition of any of them is such as in his judgment renders it necessary he may burn all the colonies of bees and all the comb necessary to prevent the spread of the disease.

Such inspector shall, before such burning, give the notice provided for in and otherwise proceed pursuant to the provisions of section 1492, b. The inspector shall make at the close of each calendar year a report to the governor, stating the number of apiaries visited, the number of those diseased and treated, the number of colonies of bees destroyed, and of the expenses incurred in the performance of his duties. Said inspector shall receive four dollars for each day actually and necessarily spent in the performance of his duties and be reimbursed the money expended by him in defraying expenses: *Provided*, That the total expenditure for such purpose shall not exceed seven hundred dollars per year.

Approved May 11, 1903.

WISCONSIN STATUTES, 1903, VOLUME 2, CHAPTER 187.

SECTION 4605, a. *Sale of a diseased apiary, etc.* Any owner of a diseased apiary, of honey made or taken from such an apiary, or appliances taken from such an apiary, who shall sell, barter, or give away any such apiary, honey, or appliances, or bees from such an apiary, expose other bees to the danger of contracting such disease, or refuse to allow the inspector of apiaries to inspect such apiary, honey, or appliances shall be fined not less than fifty dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than one month nor more than two months. (Section 4, chapter 150, 1897.)

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